

REMARKS

Applicants respectfully request reconsideration of this application as amended.

Claims 1-38 are pending and rejected in the application. In this response claims 29-38 have been canceled without prejudice. Claims 1, 3, 14, and 22 have been amended. No new matter has been added.

The Examiner rejected claims 1-3, 5-9, 12-18, 21-28, 34 and 37 under 35 U.S.C. 103(a) as being unpatentable over U.S. PG Pub. No. 2003/0110299 to Larsson, et al. ("Larsson"), in view of U.S. Patent No. 6,747,762 to Josephsen, et al ("Josephsen"). In view of the foregoing amendments, it is respectfully submitted that claims 1-28 include limitations that are not disclosed by Larsson and Josephsen, individually or in combination.

Specifically, for example, independent claim 1 recites as follows:

1. A client comprising:
a memory having an application and a data structure stored therein, wherein the data structure identifies positions of the compressed codestream on a server and identifies data of the compressed codestream already buffered at the client, if any; and
a processor coupled to the memory to execute the application to generate a request for portions of the compressed codestream based on indications of which portions of the codestream are already stored in the memory as indicated by the data structure, wherein size of the requested portions is determined based on at least two of resolution, layer, component, and precinct of an image specified by a user of the client, and wherein the size of the requested portion is derived from the data structure of the client corresponding to the user specified at least two of resolution, layer, component, and precinct of the image.

(Emphasis added)

Thus, independent claim 1 includes limitations that a client maintains a data structure indicating which portions of a codestream are already received and stored within the client and which portions of the codestream are needed, in order to satisfy a user request for an image having certain characteristics, including at least two of resolution, layer, component, and

precinct. In response, the client requests the needed portions of the codestream from the server over a network and to integrate with the portions that have already been received previously to generate the final image to satisfy the user request. The request is generated from the data structure based on the specified at least two of resolution, layer, component, and precinct (e.g., an example of a data structure as shown on page 28 of the present application). It is respectfully submitted that the above limitations are absent from Larsson and Joesephsen.

Although Larsson discloses client/server type of retrieval system; however, Larsson fails to disclose or suggest the specific way recited in claim 1, particularly, using specific information derived from a data structure maintained by the client based on at least two of resolution, layer, component, and precinct.

Joesephsen is related to compression of the image data (e.g., Abstract of Joesephsen), which is not related to client/server configuration to retrieve image data over a network. Although Joesephsen mentioned certain selection of by a user, such a selection is used to select a portion of an image to be analyzed as part of encoding or compression (see Abstract and Summary of Joesephsen), rather than selecting a portion of the image to be downloaded from a server over a network.

In addition, there is no suggestion within Larsson and Joesephsen to combine with each other. As discussed above, Joesephsen is related to encoding and/or compressing the image data, while Larsson is related to retrieving already compressed data. They are involved in significantly different phases of the processes.

Even if they were combined, such a combination still lacks the limitations set forth above. Therefore, for the reasons set forth above, it is respectfully submitted that independent claim 1 is patentable over Larsson and Joesephsen.

Similarly, independent claims 3, 14, and 22 include limitations similar to those recite in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 3, 14, and 22 are patentable over Larsson and Joesephsen. Given that the rest of the claims depend from one of the above independent claims, it is respectfully submitted that the rest of the claims are also patentable over the cited references.

Claims 4 and 30-33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson in view of Josephsen and further in view of U.S. Patent No. 6,535,878 to Guedalia ("Guedalia").

Claim 4 depends from one of the above independent claims and claims 30-33 have been canceled without prejudice. Thus, for the reasons similar to those regarding the respective independent claim, it is respectfully submitted that claim 4 is patentable over the cited references.

Claims 10-11, 19-20, 29, 35-36 and 38 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson in view of Josephsen and in view of Guedalia as applied to claims above, and further in view of U.S. PG Pub. No. 2001/0028404 to Fukuhara et al. ("Fukuhara").

Claims 10-11 and 19-20 depend from one of the above independent claims and claims 35-36 and 38 have been canceled without prejudice. Thus, for the reasons similar to those regarding the respective independent claims, it is respectfully submitted that claims 10-11 and 19-20 are patentable over the cited references.

In addition, there is no suggestion within Larsson, Josephsen, Guedalia, and Fukuhara (e.g., four different references) to combine with each other. The fact that a reference merely mentions a term used in a claim does not necessarily provide motivation to combine with other references. As described above, Larsson and Josephsen, for example, are dealing with

significantly different problems and their approaches are significantly different. It is respectfully submitted that one with ordinary skill in the art would not, based on the teachings of these references, to combine with one another, because such a combination lacks the reasonable expectation of success. Even if they were combined, such a combination still lacks the limitations set forth above.

Claims 35, 36 and 38 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson in view of Josephsen, in view of Guedalia and in view of Fukuhara as applied to claims above and further in view of U.S. Patent No. 6,904,178 to Boliek et al. ("Boliek").

Claims 35-36 and 38 have been canceled without prejudice. It is respectfully submitted that Boliek has been assigned to a common assignee of the present application and at the time the invention was made, the subject matter was owned or subject to an obligation to assign to the same person. Thus, under 35 U.S.C. 103(c), Boliek is not a proper reference against the present application.

In addition, there is no suggestion within Larsson, Josephsen, Guedalia, Fukuhara, and Boliek (e.g., five different references) to combine with each other. The fact that a reference merely mentions a term used in a claim does not necessarily provide motivation to combine with other references. As described above, Larsson and Josephsen, for example, are dealing with significantly different problems and their approaches are significantly different. It is respectfully submitted that one with ordinary skill in the art would not, based on the teachings of these references, to combine with one another, because such a combination lacks the reasonable expectation of success. Even if they were combined, such a combination still lacks the limitations set forth above.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or


assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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Kevin G. Shao
Attorney for Applicant
Registration No. 45,095

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598